and not upon obligations. *Michigan Cent. R. Co.* v. *Collector*, 100 U. S. 595; *U. S.* v. *Erie R. Co.*, 106 U. S. 327. As to the dictum in *Bridges* v. *Griffin*, 33 Ga. 113, see *Collins* v. *Miller*, 43 Ga. 336.

SELECT PLEAS, STARRS, AND OTHER RECORDS FROM THE ROLLS OF THE EXCHEQUER OF THE JEWS, A. D. 1220–1284. Edited for the Selden Society by J. M. Rigg. London: Bernard Quaritch. 1901. pp. lxi, 152. 4to.

This work is produced under the coöperation of the Selden Society and the Anglo-Jewish Historical Society — an economical arrangement which might well be repeated by these societies and imitated by others. The archives of the Exchequer of the Jews at the Public Record Office comprise two general classes: fiscal documents (account rolls, etc.) and plea rolls. The selections edited by Mr. Rigg, which are taken exclusively from the latter, throw light on the relations of the Jews to the king, the nobility, and the clergy, on the fiscal and judicial machinery of the Jewish Exchequer, and the law or custom of the Jewry. The Jews were regarded as royal property, and, like the forests, were under the jurisdiction of special royal justices. "The Exchequer of the Jews, though it had its own seal and separate staff of officers, was not so much a separate Court as a branch of the Great Exchequer, invested with a jurisdiction never very precisely defined, and which never became, though it tended gradually to become, exclusive of that of the King's Court. Its procedure did not differ materially from that of the Great Exchequer, except so far as it was modified by the Assisa Judaismi, of which the most important feature was the right of a Jew to trial by a panel *de medietate* when impleaded by a Christian upon a cause of action arising within the Jewry."

Mr. Rigg's volume is a valuable addition to the publications of the Selden Society. His Introduction gives a good account of the history of the Jews of England during the twelfth and thirteenth centuries, and his editorial work is scholarly. It is difficult, however, to ascertain what he has added to the sum of our knowledge; as he rarely refers in his footnotes to the investigations of other writers on this subject, many readers will carry away the erroneous impression that most of his conclusions are novel. On pp. xl–xli he prints a document which he says was first edited in 1896, but in fact it was published in 1888 in the Anglo-Jewish Exhibition Papers (Exchequer of the Jews, Appendix); the appendix of that essay also contains the articles touching the Jewry, printed by Mr. Rigg on pp. lv–lxi. C. G.

A TREATISE ON THE LAW OF ATTACHMENTS, GARNISHMENTS, JUDGMENTS, AND EXECUTIONS. By John R. Rood. Ann Arbor: George Wahr. 1901. pp. 183, 549. 8vo.

The law of remedies is the author's general subject in two previous books; one, a somewhat compendious text-book on garnishment solely for the practitioner, the other, a series of selected cases solely for the student. This latest, most comprehensive work is one fourth text, and the rest, a collection of cases, annotated, and an index. Much of the raw material used for the first two books must necessarily have entered as well into the present production, which, indeed, will probably supplant the earlier class-room manual. A more original mode of treatment has been adopted. The former plan was apparently to state the law in an available form; the declared purpose of the present work is to go further, to correlate propositions formerly treated as independent, to treat them all as far as possible as parts of a rational, consistent whole, and to discuss the relation of this subject, so unified, to other parts of the law that it touches. The

form which the author gives the book is fitted to this scheme. The footnotes contain, instead of exhaustive lists of citations, merely references to recognized secondary authorities or to the leading cases reprinted in the volume itself; to the end that attention is not diverted from the argument.

The author's analytical process has the gratifying result of ridding his subject of many inaccuracies. He trenchantly disposes of this or that current, over-general statement, and substitutes freely his own opinions. Under these circumstances it is not surprising that he prunes at times too close. In § 22, for example, he distinguishes between objections to a judgment which are taken in the case in which the judgment is rendered and objections taken collaterally, showing that in the former case a judgment may not stand if it is improper, whereas in the latter it stands against any objection but that of validity, that is, the objection that the court that rendered it had no jurisdiction. He concludes that it is only in the cases of collateral attack that questions of jurisdiction are really decided and that all judicial expressions elsewhere must be *dicta*. His conclusion seems illogical. Suppose, for example, that a defendant appears specially to object to the jurisdiction of the court, or appeals on jurisdictional grounds alone. The only criterion of the propriety of the judgment in question is almost by hypothesis its validity. At some stage in the reasoning the question of validity must be decided; it is therefore necessarily involved.

In some respects the author does not come up to his self-imposed standard. He frequently neglects opportunities to examine and compare. His further treatment of the subject of jurisdiction may be taken by way of illustration. It is *primâ facie* an axiom that a court, when it has no jurisdiction, can do no valid act. Various statements, however, are made in the text which in theory at least seem opposed to this view and the inconsistency is overlooked. For example, the statement is approved in § 26 that "If any jurisdictional question is *debatable* or *colorable*, the tribunal must decide it; and an erroneous conclusion can only be corrected by some proceeding provided by law for so doing, commonly called a direct attack." The principle is not explained by which a court, wherever the question of its jurisdiction is debatable can validate its acts simply by deciding that it has jurisdiction. There seems also in this an inconsistency, in language at least, with the rule laid down in § 58, that "In actions on foreign judgments the defendant may show that the judgment is void because some jurisdictional fact alleged in the record did not exist." See *Van Fossen* v. *The State*, 37 Oh. St. 317. This last passage, moreover, is hard to reconcile satisfactorily with those immediately following, to the effect that statements in the record of a domestic judgment may not be disproved by way of collateral attack even by a stranger to that record. Here, again, acts done by a court without jurisdiction are apparently treated as valid. Considered in this light, cases of this sort would seem to be offered the principle of the rule in § 13, that the correctness of an entry of judgment on the record may be disproved collaterally by showing that no judgment was in fact pronounced. Again, in § 152, the statement that an officer is absolutely protected, even against a stranger, in obeying a writ, fair on its face, commanding him to seize a certain specified thing, seems an unexplained exception to the rule to which such officers are in general subject, that the command of the court excuses only against parties within the court's jurisdiction to bind by the particular command. In short, the author has in these places done no more than made the need for classification more apparent.

Of coördinate importance with the text is the collection of cases, chosen with discretion and edited with clearness.

BRITTON, AN ENGLISH TRANSLATION AND NOTES. By Francis Morgan Nichols, with an introduction by Simeon E. Baldwin. Washington, D. C.: John Byrne & Co. 1901. pp. xxvii, 649. 8vo.

The original, of which this is apparently an excellent translation, is a Norman-French manual of the time of Edward I., founded mostly on Bracton's great